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DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

DIVISION OF ENVIRONMENTAL PROTECTION

333 W. Nye Lane, Room 138
Carson City, Nevada 89706

February 18 2003

NOTICE OF DECISION

Water Pollution Control Permit
Number Nev96107

Normandy Midas Operations, Inc. (Newmont)
Ken Snyder Mine Project

The Nevada Division of Environmental Protection has decided to issue a renewal of Water Pollution Control Permit NEV96107 to Normandy Midas Operations, Inc. (Newmont). This permit authorizes the construction, operation, and closure of approved mining facilities in Elko County. The Division has been provided with sufficient information, in accordance with Nevada Administrative Code (NAC) 445A.350 through NAC 445A.447, to assure the Division that the groundwater quality will not be degraded by this operation, and that public safety and health will be protected.

The permit will become effective March 05, 2003. The final determination of the Administrator may be appealed to the State Environmental Commission pursuant to Nevada Revised Statute (NRS) 445A.605 and NAC 445A.407. All requests for appeals must be filed by 5:00 PM, February 28, 2003, on Form 3, with the State Environmental Commission, 333 West Nye Lane, Capitol Complex, Carson City, Nevada 89706-0851. For more information, contact Miles Shaw at (775) 687-9409, toll free in Nevada at (800) 992-0900, extension 4670, or visit the Division website at http://ndep.nv.gov/admin/public.htm

Note: This notice is for electronic distribution. The original notice is on file at the address shown on the letterhead.

Responses are attached for comments received 06 February 2003, in a letter dated February 4, 2003, from Tom Myers of Great Basin Mine Watch.

NDEP Response to Great Basin Mine Watch Comments
Letter dated February 4, 2003, and received 06 February 2003

Comment: "Because the waste rock has been shown to be slightly acid generating, there is a likelihood that there are hot spots within the waste rock. Most of the waste rock generated during mining remains underground and is slurried for use as backfill within three months. It is unclear whether the 5 % CaCO3 is added to the rock temporarily stored underground or whether it is just for rock on the surface. Also, the temporarily stored rock underground should be kept try [sic] as well to avoid oxidation of the hotspots. Note that the confusion results from the discussion on page 3 of the fact sheet regarding ditches to convey the peak storm flows around the temporary storage area".

NDEP Response: Waste rock that remains underground to be slurried with cement and used as backfill material has not shown any tendency to oxidize prior to use as backfill. Because cement is added to the material during the backfill process, CaCO3 is not added to the material during the brief storage period underground. However, waste rock that is brought to the surface for placement in the temporary rock storage area does have lime added to each truckload at an average application rate of 5% CaCO3. In addition, a truckload of lime is spread over the surface of the material in the temporary rock storage area each quarter whether waste rock has been added or not. The Fact Sheet has been modified in an attempt to clarify this point.

Comment: "We have not reviewed the infiltration basin design because it was previously permitted and is not being used. However, it would be useful to know whether there has been much water discharge in the past".

NDEP Response: The rapid infiltration basin (RIB) was used only briefly during the early construction period (1998). All discharge was discontinued by mid-1998 due to a lack of flow into the mine workings in quantities sufficient to warrant discharge to the RIB.

Comment: Because of the collection system (sumps), it is reasonable to expect that the mine intercepts fractures full of water that drain to the mine. Also, it is not unexpected that the modeling for this type of dewatering system overpredicted [sic] the rate. … It is just as likely that future stopes will encounter fractures that will produce higher flow rates".

NDEP Response: Occasional pockets of perched water have been encountered as mining advances. However, no volumes near those predicted by the original modeling have been encountered.

Comment: "The quarterly monitoring reports that we examined showed no underground seeps produced enough water to collect a sample. Yet, the fact sheet states that the average dewatering rate is about 11 gpm collected in sumps in the underground mine. Where does the water in the sumps come from if not from seeps encountered in the underground mines? Perhaps the monitoring requirements should include a quarterly sample from the total 11 gpm if individual seeps cannot be sampled".

NDEP Response: To distinguish between seeps and sumps, seeps represent flow from the fractures in the rock being penetrated by the mine workings whereas sumps are low-point excavations designed to collect fluid within the mine workings and aid in its discharge from the mine. The underground workings are relatively dry and do not yield sufficient natural flow to be sampled. Hence, seep samples can rarely be collected. The 11 gallons per minute figure is a peak flow rate for what cumulatively amounts to about 300 gallons per day. This water starts as fresh water from the surface supply tank and is introduced into the mine primarily for dust control. The used water is collected in the sumps, pumped to engineered settling ponds located on the surface, filtered through an oil-water separator, and piped to the tailings impoundment underdrain solution collection pond for introduction into the process stream. Given the management and quantity of the discharge, it is not believed there is sufficient potential to degrade waters of the State to warrant additional sampling. However, the relevant portion of the Fact Sheet has been modified in an attempt to clarify the seep versus sump issue.